

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD.

SPECIAL CIVIL APPLICATION No 4635 of 1991

For Approval and Signature :

Hon'ble MR. JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the Judgment ?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the Judgment ?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

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KHIALDAS METHARAM SATWANI  
VERSUS  
UNION OF INDIA

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Appearance:

MR NV ANJARIA for the Petitioner  
MR MUKESH R SHAH for Respondent

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CORAM : MR JUSTICE S.K. KESHOTE  
Date of Decision : 24/07/2000

C.A.V. JUDGMENT

Heard the learned counsel for the parties.

2. The petitioner by this petition under Article 226 of the Constitution is praying for following reliefs:

(a) Your Lordships will be pleased to issue a writ of mandamus or a writ in the nature of mandamus or any other appropriate writ, order or direction directing the respondent to consider the representations of the petitioner and to make payment of the translation charges, vetting charges, expenses, etc. on the basis of the physical verification of the manuscript supplied by the petitioner having translated, scrutinised and vetted the same, and the respondent be further directed to furnish information to the petitioner as to how the amount of Rs.7,750/- has been arrived at towards payment of translation and vetting charges;

(b) Your Lordships will be pleased to issue a writ of mandamus or a writ in the nature of mandamus or any other appropriate writ, order or direction directing the respondent to print and publish the Sindhi version of the Constitution of India prepared by the petitioner;

(c) to pass such other order or orders as the nature and circumstances of the case may require.

3. From prayer clause (b) made in para-12, the petitioner prayed for direction to the respondent to print and publish the Sindhi version of the Constitution of India prepared by the petitioner (Emphasis provided). So it is the prayer for print and publication of the Sindhi version of the Constitution of India prepared by the petitioner and it is not the legal or fundamental right of the petitioner. Merely because the respondent-Union of India asked the petitioner to translate, scrutinise and vet the English translation of the Constitution in Sindhi, it will not give any legal or fundamental right to the petitioner to pray for a writ of mandamus to the respondent to publish his work. It is understandable that the petitioner may pray for a writ of mandamus for print and publication of the Sindhi version of the Constitution as Sindhi is one of the scheduled languages in the Constitution but this relief to print the Sindhi version of the Constitution prepared by the petitioner is wholly misconceived and it cannot be granted.

4. So far as the other prayers are concerned, it is

a dispute regarding the service charges rendered by the petitioner in making translation and vetting of the Constitution in Sindhi. From reply to the special civil application, I find that the respondent has given out at what rate the petitioner has been given the translation and vetting charges for his services. It is a matter of claim of the services rendered for which I fail to see any justification in filing of this writ petition. It is a civil dispute regarding the charges for service rendered to the respondent by the petitioner and for which only remedy appropriate would have been to file the civil suit.

5. In the result, this special civil application fails and the same is dismissed. Rule discharged. However, in the facts of this case, no order as to costs. The decision of the writ petition will not come in the way of the respondent to consider the representation, if any, filed by the petitioner in respect of his remuneration for the services rendered and the respondent is free to examine the same without getting influenced by this judgment of this court.

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